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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q58705

Yoji OKAZAKI, et al.

Appln. No.: 09/659,456

Group Art Unit: 2815

Confirmation No.: 5835

Examiner: Joseph H. Nguyen

Filed: September 11, 2000

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For: LASER APPARATUS IN WHICH GaN-BASED COMPOUND SURFACE-EMITTING SEMICONDUCTOR ELEMENT IS EXCITED WITH GaN-BASED COMPOUND SEMICONDUCTOR LASER ELEMENT

RESPONSE UNDER 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Election of Species Requirement dated August 28, 2002, Applicant hereby elects Species II, which is based on the embodiment illustrated in Figures 4, 5, 6A, and B6. It is Applicant's opinion that all of the claims, claims 1-54, are readable on Species II. This election is made without traverse.

Applicant further submits that claims 1-9 and 27-36 are generic, and therefore, at a minimum, these claims are readable on the elected species.

Timely and favorable consideration on the merits is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE TO ELECTION OF SPECIES REQUIREMENT
U.S. Appln. No. 09/659,456

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: October 28, 2002